

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JACQUELINE M. SAAVEDRA,

Plaintiff,

vs.

CIVIL NO. 08-240 WJ/LFG

J. WAYNE GRIEGO,

Defendants.

ORDER GRANTING EXTENSION OF TIME

THIS MATTER is before the Court on Plaintiff's Motion for Extension of Time to Serve Economic Expert's Report [Doc. 62]. Defendant opposes the motion to enlarge the deadline to identify experts [Doc. 66].

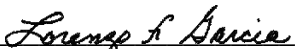
Counsel for Plaintiff Jacqueline M. Saavedra's ("Saavedra") contends that, in her absence, an office error resulted in improper calendaring of the expert deadline date. Saavedra's expert report by Dr. Parkman was prepared and tendered to defense counsel within the erroneous date, but after the Court-imposed deadline. Saavedra's counsel contends that Defendant has Dr. Parkman's report, will not be prejudiced, and is agreeable to extending any deposition deadlines so as to allow Defendant to take Dr. Parkman's deposition. In his opposition, Defendant notes that the report was provided subsequent to the Court-imposed deadline, and the motion to extend the time to file was also filed after the deadline.

While the Court agrees that Defendant's representations are accurate, Defendant does not argue that he is prejudiced by the tardy filing, and, with Saavedra's agreement to allow Dr. Parkman's deposition to be taken out of time, Defendant would be hard-pressed to show prejudice.

Accordingly, the Court grants the motion to extend Saavedra's expert report deadline so as to allow Dr. Parkman's report, and will grant Defendant an extension of time of 60 days from entry of this order within which to take Dr. Parkman's deposition.

No other case management deadlines are extended. The extended discovery deadline is limited to Dr. Parkman's report and deposition.

IT IS SO ORDERED.



Lorenzo F. Garcia
Chief United States Magistrate Judge